



1715 Aaron Brenner Drive, Suite 800
Memphis, Tennessee 38120-4367
901.537.1000
Fax: 901.537.1010

Mail: P.O. Box 775000
Memphis, Tennessee 38177-5000

H. Roy Berkenstock
Direct Phone: 901-537-1108
E-mail: rberkenstock@wyattfirm.com

April 11, 2005

The Commissioner of Patents
MAIL STOP AMENDMENT
P. O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application Ser. No. 09/767,418. Publication No.: US 2003/0157976
Applicant: Burton Simon
Filed: 01/23/2001
For: Multi-person Parimutuel Betting Games Based on Sporting Events

Dear Sir:

Enclosed are:

1. Transmittal letter;
2. Response, which includes Certificate of Mailing;
3. Mark-up of Amended Claims;
4. Firm return receipt post card

I will be calling the Examiner to discuss errors in the published application in a few days, giving you time to receive the enclosed documents.

Respectfully submitted,

H. Roy Berkenstock
Reg. No. 24,719

HRB/tsc
Enclosures

www.wyattfirm.com

250 West Main Street, Suite 1600
Lexington, KY 40507-1746
859.233.2012

918 State Street
Bowling Green, KY 42101
270.842.1050

1715 Aaron Brenner Drive, Suite 800
Memphis, TN 38120-4367
901.537.1000

500 West Jefferson Street, Suite 2800
Louisville, KY 40202-2898
502.589.5235

311 West Main Street
Frankfort, KY 40601-1807
502.223.2104

2525 West End Avenue, Suite 1500
Nashville, TN 37203-1423
615.244.0020

101 West Spring Street, Suite 500
New Albany, IN 47150-3610
812.945.3561



RFW
3713

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Burton Simon

Filed: **January 23, 2001**

Serial No. **09/767,418**

For: **Multi-person Parimutuel Betting
Games Based on Sporting Events**

§
§
§
§
§
§
§
§
§

Art Unit: **3713**

Examiner: **Mendoza, Robert J.**

Attorney Docket No.: **8054.01**

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant acknowledges receipt of the Notice of Non-Compliant Amendment issued in the above identified application on March 9, 2005.

Applicant herein submits a revised Mark-up of Amended Claims and requests they be substituted for the Mark-up and Clean copies submitted in its Amendment filed January 10, 2005.

If the Examiner feels that a telephone conference with Applicant's attorney would advance the prosecution of the application, he is invited to call the undersigned at 901-537-1108.

Respectfully submitted,


H. Roy Berkenstock
Registration No. 24,719

ENCL.: 1) Amended version of the pending claims
Date: April 11, 2005.

WYATT, TARRANT & COMBS, LLP
1715 Aaron Brenner Drive, Suite 800
Memphis, Tennessee 38120-4367
Telephone: (901) 537-1108
Facsimile: (901) 537-1010

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 11, 2005.


Leslie Vanlandingham